

Message Text

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ACTION OES-06

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TO SECSTATE WASHDC IMMEDIATE 3469

INFO USMISSION GENEVA

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AMEMBASSY NAIROBI

AMEMBASSY TAIPEI

USLO PEKING

C O N F I D E N T I A L BERN 5077

EO 11652: GDS

TAGS: SENV UNEP SZ TW

SUBJ: FIRST MEETING OF PARTIES TO ENDANGERED SPECIES CONVENTION,
BERN, NOV 2-6 - REPUBLIC OF CHINA OBSERVER

REF: STATE 245987

1. SUMMARY: REPUBLIC OF CHINA HAS SENT MEMBER OF SWISS OFFICE
OF FAR EAST TRADE SERVICE, INC AS ITS OFFICIAL OBSERVER TO
SUBJECT MEETING. THIS POSES SERIOUS PROBLEM FOR UNEP,
WHICH HAS BASIC SECRETARIAT RESPONSIBILITY FOR CONVENTION,
IF ROC OBSERVER IS ACKNOWLEDGED AS SUCH, GIVEN UN POSITION
ON CHINA. CONFERENCE SECRETARIAT PLANS TO SKIRT ISSUE PRO-
CEDURALLY AND HOPES KEEP POLITICAL QUESTION FROM ARISING ON
FLOOR OF MEETING FOR CONSIDERATION BY TREATY PARY REPS.
SECRETARIAT ALSO INTENDS TO IDENTIFY ROC REP FOR RECORD
ONLY AS REP OF HIS TRADING COMPANY ON LIST OF MEETING
OBSERVERS. END SUMMARY.

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2. OBSERVER ATTENDEES AT SUBJECT MEETING INCLUDE

MR YEN-CHAO HUANG FROM SWISS OFFICE OF FAR EAST TRADE SERVICE, INC, WHO HAS REGISTERED AS REPRESENTING REPUBLIC OF CHINA. INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE AND NATURAL RESOURCES (IUCN), WHICH IS PERFORMING SECRETARIAT FUNCTION FOR MEETING AND FOR CONVENTION IN GENERAL UNDER CONTRACT FROM UNEP, RECEIVED OFFICIAL NOTE FROM ROC FOREIGN MINISTRY, SO DESIGNATING MR HR HUANG, IN RESPONSE TO INVITATION TO MEETING EXTENDED WORLDWIDE BY IUCN TO VIRTUALLY ALL NATIONS AND INTERESTED ORGANIZATIONS. FYI: ROC SIGNED CONVENTION SHORTLY AFTER 1973 WASHINGTON CONFERENCE WHICH DREW IT UP; HOWEVER, ROC HAS NOT YET RATIFIED AND THUS BECOME A TREATY PARTY. BOTH CHINAS WERE INVITED TO 1973 MEETING BY US AS HOST, BUT NEITHER ATTENDED. SIXTY NATIONS HAVE SIGNED CONVENTION, AND THIRTY-THREE HAVE SINCE RATIFIED. EIGHTEEN TREATY PARTIES (AUSTRALIA, CANADA, CHILE, FINLAND, GDR, FRG, GHANA, IRAN, MALAGASY REP, MAURITIUS, NORWAY, PAPUA NEW GUINEA, SOUTH AFRICA, SWEDEN, SWITZERLAND, UK, US AND ZAIRE) ARE REPRESENTED AT PRESENT MEETING, ALONG WITH OBSERVERS FROM THIRTEEN NON-TREATY STATES AND SEVERAL IGO'S AND NGO'S. END FYI.

3. ATTENDANCE BY ROC OBSERVER PRESENTS SECRETARIAT WITH SERIOUS DILEMMA. BOTH IUCN OFFICIAL AND THOSE ON HAND FROM UNEP (THACHER, CURRY-LINDAHL AND TUBMAN) FEAR THAT IF MEETING DOCUMENTATION LISTS MR HUGAN AS ROC REP, THIS WILL CREATE BASIC PROBLEM FOR UNEP WITHIN UN AND WOULD JEOPARDIZE ITS ABILITY TO PROVIDE SECRETARIAT SUPPORT IN FUTURE AS CHARGED UNDER CONVENTION. UNEP OFFICIALS FEEL BOUND BY GENERAL ASSEMBLY ACTION ON TWO CHINA QUESTIONS AND IUCN FEELS IT MUST RESPECT THIS AS WELL, GIVEN ITS SECRETARIAT CONTRACT RELATIONSHIP TO UNEP FOR CONVENTION. IUCN AND UNEP OFFICIALS BOTH EMPHASIZE, TOO, THE IMPORTANCE OF EFFORTS ON INTERNATIONAL WILDLIFE PROTECTION UNDER CONVENTION OF GAINING EVENTUAL ACCESSION THERETO BY PRC WITH ITS GREAT LAND MASS; THEY BELIEVE THIS WOULD BE PRECLUDED BY PARTICIPATION OF ROC.

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4. WE UNDERSTAND FROM IUCN THAT MEETING CREDENTIALS COMMITTEE (COMPOSED OF TREATY PARTY REPS FROM CANADA, SWEDEN, MALAGASY REP, AND PAPUA NEW GUINEA) SHARES RELUCTANCE TO SEAT MR HUANG AS ROC REP. SECRETARIAT AND CREDENTIALS COMMITTEE PLAN TO SKIRT ISSUE AND PREVENT ITS ARISING ON FLOOR OF MEETING BY FOLLOWING PROCEDURAL MEANS:

UNDER MEETING RULES OF PROCEDURE, CREDENTIALS COMMITTEE

IS CALLED UPON ONLY TO EXAMINE CREDENTIALS OF TREATY PARTIES, AND THIS IS ALL THAT ITS REPORT - EXPECTED BY FRIDAY, NOV 5 - WILL CONVER. OBSERVER LIST WILL BE PUBLISHED AND CIRCULATED TOWARD END OF MEETING BY SECRETARIAT, WHICH WILL ASK THAT ANY NECESSARY CORRECTIONS BY COMMUNICATED TO IT IN WRITING. OBSERVER LIST WILL RECORD MR HUANG AS REPRESENTING FAR EAST RADE SERVICE, WITHOUT REFERENCE TO ROC. WE UNDERSTAND CREDENTIALS COMMITTEE HAD FAVORED DOING SAME IN ITS OWN REPORT, BUT HAS DECIDED TO LEAVE OBSERVER LIST WITH THIS DESIGNATOR FOR MR HUANG SO THAT CHINA ISSUE NEED NOT BE ADDRESSED DIRECTLY BY PARITIES THEMSELVES, EITHER IN CREDENTIALS COMMITTEE OR IN PLENARY. IF MR HUANG SHOULD SEEK CORRECTION, HE COULD TAKE UP MATTER WITH SECRETARIAT, WITHOUT SIDETRACKING MAIN MEETING BUSINESS AND FORCING POLITICIAL ISSUE ON FLOOR OF PLENARY.

5. UPON LEARING OF ABOVE IN PRIVATE CONVERSATION WITH IUCN AND UNEP OFFICIALS, US DEL LEADER BOHLEN OBSERVED TO THEM THAT THIS METHOD OF DEALING WITH ROC COULD SET UNFORTUNATE PRECEDENT FOR INTRODUCING POLITICAL CONSIDERATION INTO WORK OF CONVENTION AND FOR POSSIBLE FUTURE POLITICAL JUDGEMENTS REGARDING PARTICIPATION OF OTHER COUNTRIES, BOTH TREATY AND NON-TREATY PARTIES. HE COMMENTED THAT WILDLIFE KNOWS NO POLITICAL BOUNDARIES AND THAT COOPERATION OF ALL NATIONS OF WORLD WOULD BE NEEDED TO MAKE EFFORTS TO CONSERVE ENDANGERED SPECIES TRULY EFFECTIVE. HE ALSO RECALLED THAT 1973 WASHINGTON CONFERENCE HAD BEEN ORGANIZED SUCCESSFULLY ON AN APOLITICAL BASIS WITH FOREGOING PRINCIPLE IN MIND, THAT BOTH CHINAS HAD BEEN INVITED, AND THAT BOTH GERMANIES HAD ACTUALLY ATTENDED FOR FIRST TIME AT SAME INTERNATIONAL CONFIDENTIAL

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MEETING. IN HIS VIEW, IT WOULD BE REGRETTABLE IF 1973 PRECEDENT FOR KEEPING WORK OF CONVENTION ABOVE POLITICS WERE NOT CONTINUED.

6. IUCN AND UNEP REPS ACKNOWLEDGED VALIDITY OF BOHLEN'S OBSERVATIONS, BUT NOTED THAT THIS DID NOT DISPOSE OF PROBLEM FOR UNEP AAS SECRETARIAT - UNLIKE UAS AS HOST COUNTRY FOR 1973 MEETING - IN BEING CONSTRAINED BY GENERAL ASSEMBLY POSITION ON CHINA. THEY ADDED THAT PROBLEM COULD BE AGGRAVATED FURTHER IF ROC WERE TO RATIFY CONVENTION. THEY SAID THEY HAD CONSULTED WITH SWISS AUTHORITIES (SWITZERLAND IS DEPOSITORY COUNTRY FOR CONVENTION) THIS WEEK ON ROC ISSUE AT MEETING AND HAD BEEN INFORMED THAT SWISS WOULD NOT SUPPORT SEATING ROC REP AS SUCH, IF QUESTION AROSE IN MEETING. HOWEVER,

SWISS AS DEPOSITORY WOULD ROUTINELY ACCEPT DEPOSIT OF CONVENTION RATIFICATION BY ROC, IF SUCH OCCURRED, INASMUCH AS GOS VIEWED DEPOSITORY FUNCTION AS ESSENTIALLY ADMINISTRATIVE, WITH NO POLITICAL IMPLICATIONS FOR SWITZERLAND ITSELF.

7. SECRETARIAT OFFICIALS CONCEDED THAT MEANS BY WHICH THEY PROPOSE TO HANDLE ROC OBSERVER QUESTION AT MEETING WOULD ONLY AVERT ISSUE FOR PRESENT AND ENABLE MEETING TO GET THROUGH TASKS BEFORE IT, WITHOUT AWKWARD POLITICAL PROBLEM INTRUDING DIRECTLY. HOWEVER, PROBLEM WOULD REMAIN FOR THE FUTURE.

8. IN US DEL VIEW, SECRETARIAT IS MAKING BEST OF BAD SITUATION AND WE BELIEVE THEIR SOLUTION FOR PRESENT IS BEST THAT CAN BE EXPECTED. LONGER TERM IMPLICATIONS FOR WORK OF CONVENTION WILL REQUIRE CAREFUL CONSIDERATION, BUT WE BELIEVE US DEL SHOULD GO NO FURTHER ON QUESTION HERE. WOULD WELCOME DEPTS COMMENTS, IF ANY, BY OPENING OF BUSINESS HERE ON FRIDAY, NOV 6, IF POSSIBLE.
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